

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MICHAEL D SUMMERS,

Plaintiff,

v.

CLARK COUNTY JAIL et al.,

Defendants.

CASE NO. C13-5484 BHS-JRC

ORDER DENYING PLAINTIFF'S
MOTION FOR
REECONSIDERATION

The District Court has referred this 42 U.S.C. § 1983 civil rights action to United States Magistrate Judge J. Richard Creatura. The Court's authority for the referral is 28 U.S.C. § 636(b)(1)(A) and (B), and Magistrate Judge Rules MJR3 and MJR4.

The Court denies plaintiff's motion for reconsideration of the order denying appointment of counsel, (ECF No. 28). Motions for reconsideration are disfavored. Local Rule 7(h) states:

(1) *Standard.* Motions for reconsideration are disfavored. The court will ordinarily deny such motions in the absence of a showing of manifest error in the prior ruling or a showing of new facts or legal authority which could not have been brought to its attention earlier with reasonable diligence.

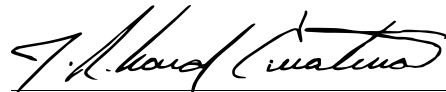
(2) *Procedure and Timing.* A motion for reconsideration shall be plainly labeled as such. The motion shall be filed within fourteen days after the order to which it relates is filed. The motion shall be noted for consideration for the day it is filed.

1 The motion shall point out with specificity the matters which the movant believes
2 were overlooked or misapprehended by the court, any new matters being brought
3 to the court's attention for the first time, and the particular modifications being
4 sought in the court's prior ruling. Failure to comply with this subsection may be
5 grounds for denial of the motion. The pendency of a motion for reconsideration
6 shall not stay discovery or any other procedure.

7 (3) *Response*. No response to a motion for reconsideration shall be filed unless
8 requested by the court. No motion for reconsideration will be granted without
9 such a request. The request will set a time when the response is due, and may
10 limit briefing to particular issues or points raised by the motion, may authorize a
11 reply, and may prescribe page limitations.

12 The Court's order denying appointment of counsel set forth the legal standard for
13 appointment of counsel (ECF No. 25). Plaintiff's argument that the case involves multiple states
14 and will involve discovery is unpersuasive. Plaintiff has not shown a likelihood of success on the
15 merits and he does not meet the standard for appointment of counsel. Further, several defendants
16 have filed a motion to dismiss based on lack of personal jurisdiction, which is a legal argument
17 and does not involve discovery (ECF No. 13). Plaintiff's motion for reconsideration is denied.

18 Dated this 30th day of September, 2013.

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J. Richard Creatura
United States Magistrate Judge